

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, *et al.*

Plaintiffs,

v.

BRAD RAFFENSPERGER, *et al.,*

Defendants.

CIVIL ACTION

FILE NO. 1:17-cv-2989-AT

DECLARATION OF THERESA PAYTON

Pursuant to 28 U.S.C. § 1746, I, Theresa Payton, make the following declaration:

1.

My name is Theresa Payton. I am over the age of 21 years, and I am under no legal disability which would prevent me from giving this declaration. I have been retained as an expert for the State Defendants in this matter and if called to testify, I would testify under oath to these facts.

2.

I am the Chief Executive Officer of Fortalice Solutions. Fortalice Solutions is a full-service cybersecurity company that offers businesses and governments a

full suite of cybersecurity services, including cybersecurity assessments, vendor assessments, red teaming and penetration testing, review of cybersecurity policies and procedures, and cyber incident response and analysis.

3.

Prior to founding Fortalice, I was Chief Information Officer for The Office of Administration, Executive Office of the President at the White House from 2006-2008, overseeing all information technology and information security functions. I am the co-author of numerous books and articles regarding cybersecurity, including Privacy in the Age of Big Data: Recognizing Threats, Defending Your Rights, and Protecting Your Family, and Protecting Your Internet Identity: Are You Naked Online? I was named one of the 25 Most Influential People in Security by Security Magazine.

4.

Pursuant to this Court's direction at the July 17, 2019 telephone conference, I have included Matthew Shirley's bio, which is attached as **Exhibit A**.

5.

Mr. Shirley will assist me in this proposed review as a Senior Security Engineer. Shirley is a cyber security professional with experience in the financial, retail, healthcare, automotive, entertainment and manufacturing industries. As a

Senior Security Engineer within the Commercial Services division of Fortalice Solutions, he emulates modern attacker tools, techniques, and procedures (TTPs); uses adversarial approaches while performing a full range of penetration tests; participates in and leads efforts to develop new cyber capabilities and methodologies; reviews and critiques system and network security solutions; and develops detailed reports on findings and remediation recommendations. Mr. Shirley received his B.A. in Information Science and Technology from Temple University.

6.

Mr. Shirley will assist Mr. Brandau and me in our review of the malware, according to the guidelines set forth by this Court at the July 17, 2019 telephone conference.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of July, 2019.



THERESA PAYTON

EXHIBIT A



Matt Shirley, Senior Security Engineer

Matt Shirley is a cyber security professional with experience in multiple industries, including financial, retail, healthcare, automotive, entertainment, and manufacturing. Over the course of his career, Shirley has focused on providing guidance to clients regarding ways in which their overall information security posture may be improved. As a Senior Security Engineer within the Commercial Services division of Fortalice Solutions, he emulates modern attacker tools, techniques, and procedures (TTPs); uses adversarial approaches while performing a full range of penetration tests; participates in and leads efforts to develop new cyber capabilities and methodologies; reviews and critiques system and network security solutions; and develops detailed reports on findings and remediation recommendations.

Prior to joining Fortalice, Shirley served as a security consultant and used his expertise to lead and execute external/internal vulnerability assessment penetration tests, vehicle telematics and infotainment penetration tests, web application penetration tests, social engineering assessments (physical, email, and phone based), IT General control audits, wireless protocol penetration tests (Wi-Fi, Bluetooth, BLE, etc.), ATM penetration tests and audit programs in order to provide recommendations for effective remediation of discovered vulnerabilities. Shirley attended Temple University where he earned his B.A. in Information Science and Technology.